



Lanny S. Kurzweil

Partner

T. 973-639-2044

F. 973-297-3810

lkurzweil@mccarter.com

McCarter & English, LLP

Four Gateway Center

100 Mulberry Street

Newark, NJ 07102-4056

www.mccarter.com

July 22, 2025

**VIA ECF**

Hon. Renée M. Bumb, Chief United States District Judge  
United States District Court, District of New Jersey  
4th and Cooper Streets, Courtroom 3D  
Camden, NJ 08101

**Re: Defendants EIDP, Inc., The Chemours Company, and The Chemours Company, FC, LLC's Motion to Strike PFAS Toxicity Evidence  
*N.J. Dept. of Enviro. Protection, et al. v. E.I. du Pont de Nemours and Co., et al.*, Civil Action No. 1:19-cv-14766 (RMB)**

Dear Chief Judge Bumb:

We write on behalf of defendants EIDP, Inc., The Chemours Company, and The Chemours Company, FC, LLC (collectively "EIDP/CC") to correct an error in their Motion to Strike Plaintiffs' PFAS Toxicity Evidence. Dkt. No. 700.

As Your Honor is aware, on June 30, the parties submitted a Joint Letter (Dkt. No. 699) to which certain deposition designations were attached as exhibits pursuant to the Court's instructions (June 9, 2025 Tr. 2659:1-2661:10), including designations from the deposition of Andrew Hartten bearing the trial exhibit number PTX05298.

In Exhibit 3 to Defendants' Motion to Strike (Dkt. No. 700), the first table correctly lists only the specific PFAS toxicity testimony from Mr. Hartten's deposition transcript EIDP/CC seeks to exclude, but the deposition transcript itself (PTX05298) is mistakenly listed in the second table in whole under "Exhibit Entered." EIDP/CC are not moving to exclude Mr. Hartten's deposition testimony in its entirety. Attached is a corrected Exhibit 3 with changes to correct only this inadvertent oversight noted in red.

Respectfully submitted,

By: /s/ Lanny S. Kurzweil

Lanny S. Kurzweil

Ryan A. Richman

**McCARTER & ENGLISH, LLP**

Four Gateway Center

100 Mulberry Street

Newark, NJ 07102

(973) 639-2044

lkurzweil@mccarter.com

rrichman@mccarter.com

July 22, 2025  
Page 2

By: /s/ Eric G. Lasker

**HOLLINGSWORTH LLP**

Eric G. Lasker (*Admitted PHV*)

Ann Marie Duffy (*Admitted PHV*)

Matthew J. Malinowski (*Admitted PHV*)

Marchello D. Gray (*Admitted PHV*)

David I. Schifrin (*Admitted PHV*)

1350 I Street, NW

Washington, DC 20005

(202) 898-5800

[elasker@hollingsworthllp.com](mailto:elasker@hollingsworthllp.com)

[aduffy@hollingsworthllp.com](mailto:aduffy@hollingsworthllp.com)

[mmalinowski@hollingsworthllp.com](mailto:mmalinowski@hollingsworthllp.com)

[mgray@hollingsworthllp.com](mailto:mgray@hollingsworthllp.com)

[dschifrin@hollingsworthllp.com](mailto:dschifrin@hollingsworthllp.com)

July 22, 2025  
Page 3**EXHIBIT 3 (CORRECTED)**

Defendants move to exclude the following tables of trial testimony and exhibits entered in the Phase 1 Mini Trials from the WPCA mini trial considering the Court's June 3rd Order, but maintain are relevant to the CRACO mini trial:

| TRIAL DATE                         | WITNESS    | TESTIMONY         |
|------------------------------------|------------|-------------------|
| 5/19/2025                          | LaTourette | 83:13 – 85:5      |
| 5/19/2025                          | LaTourette | 87:16 – 87:18     |
| 5/19/2025                          | LaTourette | 107:12 – 112:8    |
| 5/19/2025                          | LaTourette | 112:6 – 115:13    |
| 5/28/2025                          | Stahl      | 1288:22 – 1289:4  |
| 5/29/2025                          | Faranca    | 1373:4 – 1373:9   |
| 5/29/2025                          | Faranca    | 1389:6 – 1389:12  |
| 5/29/2025                          | Faranca    | 1390:22 – 1390:5  |
| 5/29/2025                          | Faranca    | 1393:8 – 1393:19  |
| 5/29/2025                          | Faranca    | 1397:4 – 1397:23  |
| 5/29/2025                          | Faranca    | 1413:11 – 1414:3  |
| 5/29/2025                          | Faranca    | 1420:25 – 1421:17 |
| 5/29/2025                          | Post       | 1447:7 – 1449:25  |
| 5/29/2025                          | Post       | 1450:12 – 1451:20 |
| 5/29/2025                          | Post       | 1457:10 – 1457:22 |
| 5/30/2025                          | Campbell   | 1663:13 – 1663:21 |
| 5/30/2025                          | Campbell   | 1664:5 – 12       |
| 5/30/2025                          | Campbell   | 1673:15 – 1674:3  |
| 5/30/2025                          | Campbell   | 1678:23 – 1680:5  |
| 5/30/2025                          | Campbell   | 1706:12 – 1707:16 |
| 5/30/2025                          | Campbell   | 1717:6 – 25       |
| 5/30/2025                          | Campbell   | 1720:7 – 1721:2   |
| Deposition Testimony from PTX05298 | Hartten    | 228:2 – 3         |
| Deposition Testimony from PTX05298 | Hartten    | 228:5 – 16        |
| Deposition Testimony from PTX05298 | Hartten    | 228:19 – 21       |
| Deposition Testimony from PTX05298 | Hartten    | 229:2 – 19        |

July 22, 2025  
Page 4

| TRIAL DATE                            | WITNESS | TESTIMONY   |
|---------------------------------------|---------|-------------|
| Deposition Testimony<br>from PTX05298 | Hartten | 229:21 – 22 |

| EXHIBIT ENTERED |
|-----------------|
| PTX01552        |
| PTX01692        |
| PTX01719*       |
| PTX01926        |
| PTX02173*       |
| PTX02259*       |
| PTX02376        |
| PTX02552        |
| PTX03291        |
| PTX04124        |
| PTX04024        |
| <b>PTX05298</b> |
| DX_DP1854       |
| DX_DP1862       |
| DX_DP2682       |
| DX_DP2704       |
| DX_DP2771       |

\*To the extent the exhibit also discusses toxicity of C-8 or PFOA or PFAS, Defendants seek to exclude that information from the WPCA mini trial.